

CHAPTER XL.

An Act in relation to Constable fees for travel in serving process.

- SECTION 1. Constables traveling fees.
 2. Repeal of acts inconsistent with this act.
 3. When act to take effect.

Beit enacted by the Legislature of the State of Minnesota :

SECTION 1. Constables, for serving any process or paper authorized to be served by them, shall be entitled to charge and receive for travel, ten cents per mile, both going to, and returning from the place of service. Constables traveling fees

SEC. 2. All laws inconsistent with this act are hereby repealed. Repeal of inconsistent acts

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved February 24, 1864.

CHAPTER XLI.

An Act relating to the punishment of crimes.

- SECTION 1. Punishment for an assault, with intent to do bodily harm.
 2. When act to take effect.

Beit enacted by the Legislature of the State of Minnesota :

SECTION 1. If any person, being armed with a dan-

Punishment for an assault with intent to do bodily harm

gerous weapon, shall assault another, with intent to do great bodily harm, he shall be punished by fine not less than one hundred dollars, nor more than five hundred dollars, or by imprisonment in the state prison not more than five years, in the discretion of the court.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved February 24, 1864.

CHAPTER XLII.

An Act to amend Sections fifty-four, fifty-five and fifty-six, of Chapter sixty, of the Compiled Statutes, to provide for the publication of summons in certain cases.

SECTION 1. Publication of summons—in what cases.

2. Publication where to be made—number of weeks to be published.
3. In what cases defendant allowed to defend within one year.
4. Repeal of said original sections.
5. When act to take effect.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section fifty-four of chapter sixty of the compiled statutes of Minnesota, be amended so as to read as follows:

When the plaintiff, his agent or attorney shall file an affidavit or affidavits, stating that the defendant is not a resident of this State, that the affiant has made diligent inquiry for him, and has reason to believe, and does believe that such defendant is not therein, and that a cause of action exists against such defendant, or that he is a proper party to the action relating to real property in this State, the service may be made by

Publication of summons—in what cases